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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,634	09/12/2003	Markku A. Oksanen	4208-4146	6966

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Locke Lord Bissell & Liddell LLP
Attn: IP Docketing
Three World Financial Center
New York, NY 10281-2101

EXAMINER

JAIN, RAJ K

ART UNIT	PAPER NUMBER
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2416

NOTIFICATION DATE	DELIVERY MODE
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08/06/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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ptopatentcommunication@lockelord.com

Office Action Summary	Application No.		Applicant(s)	
	10/660,634		OKSANEN ET AL.	
	Examiner		Art Unit	
	RAJ JAIN		2416	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 April 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 and 28-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 and 28-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 14-18 and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miao (USP 7,046,716 B1) in view of Grube et al (US 5239678 A).

Regarding claims 1, 14, 28 and 30 Miao discloses a method of ultra-fast downloading of data in a mobile environment (see abstract), comprising:

a) establishing a first wireless low-power low data rate communication link with another device (see Fig. 1, 6, col 4 lines 52-67, a low power communication is established for example indoor communications via the dual mode UWB 100 transceiver for RF communications having low transmission data rate with low power to another device, see also col 3 lines 18-20);

b) establishing a second higher data rate wireless communication link with the another device (see abstract, Figs. 1, 6 col 4 lines 52-67, the higher data rate communication is with the UWB transceivers for outdoors col 2 lines 40-52; col 3 lines 17-24).

Miao fails to disclose controlling the second wireless communication link via the first wireless communication, wherein the first wireless communication link frees the second wireless communication link from link control overhead.

Grube discloses controlling the second wireless communication link via the first wireless communication, wherein the first wireless communication link frees the second wireless communication link from link control overhead (Fig. 1, abstract; col 3 lines 7-30; col 4 lines 7-10; col 4 lines 60-67).

The use of a separate communications link for control overhead allows for improved data throughput in the freed communications link.

Thus it would have been obvious at the time the invention was made to incorporate the teachings of Salokannel within Miao thus enhancing data throughput performance between communicating devices of interest.

Regarding claims 2 and 29, Miao discloses second wireless communication link based on information communicated via the first wireless communication link (col 5 lines 1-20).

Regarding claim 15, Miao discloses a second radio link serves as a direct data channel for actual data payload (see Fig.1, abstract).

Regarding claim 16, Grube discloses the use of acknowledgement messages (Fig. 4; col 7 lines 25-50). Acknowledgement messaging reduces retransmission of packets and therefore increasing network bandwidth efficiency.

Thus it would have been obvious at the time the invention was made to incorporate the teachings of Grube within Miao so as to increase network bandwidth efficiency.

Regarding claim 17, Miao discloses a direct data channel eliminates time-consuming adjustments, such as, transceiver/receiver switching where possible loss of data occurs (see Figs 1, 6, abstract).

Regarding claim 18, Miao discloses means including a high capacity memory and a UWB transceiver attached to a terminal for capture of data at high speed and transfer to a utilization device at lower speeds (Fig. 2, discloses a dual mode transmitter which inherently incorporates a high capacity memory 240 and transference to appropriate devices via 224).

Claims 3-13 and 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miao (USP 7,046,716 B1) in view of Krantz et al (US 200401536 A1).

Regarding claims 3, 10 and 19, Miao discloses a method and apparatus of duplex communication in a mobile environment (see abstract and Fig. 1), comprising:
establishing a first wireless low-power low data rate communication link with another device (see Fig. 1, 6, col 4 lines 52-67, a low power communication is established for example indoor communications via the dual mode UWB 100

Art Unit: 2416

transceiver for RF communications having low transmission data rate with low power to another device, see also col 3 lines 18-20);

establishing a second higher data rate wireless communication link with the another device (see abstract, Figs. 1, 6 col 4 lines 52-67, the higher data rate communication is with the UWB transceivers for outdoors col 2 lines 40-52; col 3 lines 17-24).

activating the mobile device UWB transmitter for transmitting data as modulated pulse trains to the base device receiver (see Fig.1, col 4 lines 53-67, the mobile device 114 transmits digital data pulses to the network 122, one skilled in the art appreciates that UWB is a wireless technology that broadcasts digital pulses that are timed very precisely across a very wide spectrum.);

demodulating the mobile device UWB transmitter pulse trains in the base device UWB receiver (Fig. 1, 10, 122 demodulates the pulse trains according to I/Q demodulation reference 1030.);

transmitting from the base device UWB transmitter to the mobile device UWB receiver, modulated pulse trains of the base device UWB transmitter interleaved between the modulated pulse trains of the mobile device UWB transmitter (see Figs. 1 and 2, col 5 lines 12-40, the block interleaver 214 is used to interleave modulated pulse trains of the base device and mobile device before being transmitted by the base device.); and

demodulating the modulated pulse trains of the base device UWB transmitter in the mobile device UWB receiver (see Figs 1 and 2, the multi-carrier 114 demodulates the incoming base device UWB signal, see col 4 lines 55-67.).

Miao fails to disclose removable memory modules.

Krantz discloses removable memory modules and exchanging of UWB parameters between devices (Fig. 1, Para 26).

A memory storage device and the capability to exchange UWB parameters allows for networking devices to negotiate appropriate operating parameter and therefore increasing the pulse frequency between the devices. A memory device allows for increased storage of parameters and other data as necessary outside of the

Art Unit: 2416

networking components. Thus it would have been obvious at the time the invention was made to incorporate the teachings of Krantz within Miao so to improve and enhance UWB network performance by increasing the transmission and storage capabilities of devices as desired.

Regarding claim(s) 4, Krantz discloses transmitting data from the base device to the removable memory module via the ultra wideband transmission link for storage in the integrated memories of the removable memory module (Fig. 1 & 2, Para 26);

forwarding the transmitted data from the removable memory module to the mobile device memories through a connector and a bus interface (Fig. 1 & 2, interface is between devices 100 and 222, 223 etc.); and processing the transmitted data in the mobile device (Fig. 1 processing unit 102). Reasons for combining same as for independent claim 3.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miao (USP 7,046,716 B1) in view of Krantz et al (US 200401536 A1) and further in view of Grube et al (US 5239678 A). Miao and Krantz fail to disclose the use of acknowledgement messages.

Grube discloses the use of acknowledgement messages (Fig. 4; col 7 lines 25-50). Acknowledgement messaging reduces retransmission of packets and therefore increasing network bandwidth efficiency.

Thus it would have been obvious at the time the invention was made to incorporate the teachings of Grube within Miao so as to increase network bandwidth efficiency.

Regarding claim(s) 6, Miao discloses a an UWB system which inherently has a pulse and PN code modulator/demodulator for differentiating the users as appropriate.

Regarding claim(s) 7, 12 and 13, Miao discloses a memory for storage and removable (claim 18).

Regarding claim(s) 8 and 9, Mia discloses error correction coding prior to transmitting data (col 3 lines 1-15).

Regarding claim 11, Krantz discloses Bluetooth connection (para 3), reasons for combining same as for independent claim 10 above.

Regarding claim(s) 20, Miao discloses a UWB transmitter 114 (Fig. 1) for transmitting data over a UWB communication link (link from 112 to 122).

Regarding claim(s) 21, Miao discloses a mobile device 114 (Fig. 1) and network interconnect 122 inherently have display devices connected to appropriate control circuitry.

Regarding claim(s) 22, Krantz discloses Bluetooth, Irda, Hiperlan, Zigbee (see col 3 lines 1-20). UWB use in Bluetooth, Irda, Hiperlan, Zigbee, 802.11, WLAN allows for adapting to differences in various radio protocols to be utilized via the UWB technology and therefore it would have been obvious to incorporate the teachings of Krantz within Miao so as to broaden the spectrum of UWB use in different protocol groups.

Response to Arguments

Applicant's arguments with respect to claims 1-22, 28-30 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RAJ JAIN whose telephone number is (571)272-3145. The examiner can normally be reached on M-TH.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

Art Unit: 2416

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Raj K. Jain/

Examiner, Art Unit 2416